Secrets. II-27—40,004—6-11-28.

Law (Genl) (1929) Department.

Mis SERIES.

G.O. No. 2203

DATED 22/5/1929

[Despatch Abstract.]

Magistrates - Second class - South Kanara district - Powers under section 167 Criminal Procedure Code.

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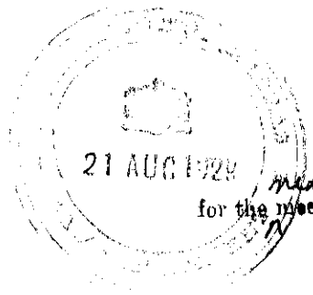


AG

QUESTION—No. 709

for the meeting of the Legislative Council ~~to be held on the~~ ~~192~~.

L. 3812 P/21.8.24

SUBMITTED that two copies of this Question may be forwarded to the Law (Genral) Department.

The Question has been admitted.

M
21/8

L
21/8/24

2570/24-1.L.C

U. O. No. , *dated* 21.8.24

To

The Law (Gen) Department.

PTO

Law (Genl) Dept

AS.

Please see the notes in the linked file. A draft answer to the present question will be put up after orders are passed in the linked file.

(R) 27/8

PSM 26/8/29

Jvm 29/8

DR 26/8

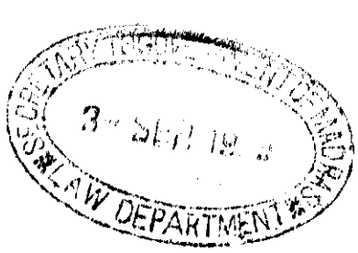
Please see de ails orders in the linked file. A draft answer is sent.

R 31/8

PSM 31/8/29.

S Jvm 2/9

C3 2-9-29.



Application for Magisterial powers under sections 12 and 37 of the Code of Criminal Procedure.

1. Name of Taluk or Division	South Kanara District. 1. Puttur Taluk. 2. Karkal Taluk.
2. Present Office	Stationary Sub Magistrate.
3. Name in full of the incumbent	1. M.R.Ry. Bolar Somappa, Sub Magistrate, Puttur, and 2. M.R.Ry. V.K. Sundaresha Shastri, Sub Magistrate, Karkal (on 1 month's leave).
4. Total service in Magisterial department ..	No.1 counts a service of 4 years and No.2 counts a service of 3 years & [illegible]
5. Present powers how long exercised †	No.1 was invested with the powers of a Magistrate of the II Class in G.O.R.871 Law (Genl.) dated 12-10-25 and No.2 in G.O.No.728 Routine, Law (Genl.) dated 23-9-1926.
6. Examination passed by the officer	Both are undergraduates.
7. Qualifications of the officer	Both have passed the Revenue and Criminal Judicial Test and Accounts Test and undergone Survey and Head Accountants Training.
8. Nature of recommendation, under what sections and grounds thereof.	Fit to be invested with powers to order detention of accused persons in the custody of the ----- Police, under Section 167 C.P.C. May be invested with them.
9. Remarks	They have already been invested with powers under sections 164 and 562 C.P.C. in G.O.No.Mis. 1940 Law (Genl.) dated 20-6-1927 and G.O.No.Mis.3583 Law (Genl.) dated 26-10-1928.

Station, Camp Kasargod,

Ref. C1A. 3711-29.

Dated 28th April 1929.

(Signature)

for *District Magistrate of* South Kanara.

To the Secretary to Government, Law (General) Department, Madras.

* It should be distinctly stated, in the case of applications for powers to Deputy Tahsildars, whether the nominee is a Deputy Tahsildar merely or Deputy Tahsildar and Stationary Sub-Magistrate.

† This item should invariably give the date or dates of the grant of previous powers, if any, to the officer on whose behalf the recommendation is made.

Order--R. No. , dated 192 .

Under section 12 of the Code of Criminal Procedure, 1898,

in the district of is appointed to be a Magistrate of the

class, and under section 37 he is invested with all the powers specified in the fourth schedule as powers which the Government may confer on a Magistrate of that class except the power to

(True Extract.)

Chief Secretary.

To the District Magistrate of

Gazette

-DEPARTMENT.

No. II-5 (a)—48,004—6-11-28. (6)

	Date.	Initials.
When received for Fair-copying		
When copied ..	22/5	
When examined ..		
When signed ..		
When despatched ..		

9/22.5

Magistrates- Second class- South Kanara dt:- Powers under section 167 b.r. P.C.

READ AGAIN G.O. No. ....., dated 192

" " " " ..... " 192

READ ALSO:—

C. No. 2259/B From the D. cll, S. Kanara C/No. 3711/5 dated 28-4-1929.

" " ..... " " ..... " 192

" " ..... " " ..... " 192

ORDER.

No. 2203, dated 22/5/29 192.

Mis

The following notifn will be published in the Fort St George Gazette:-

Notifn

Under section 167 of the Code of Criminal Proc , 1898, as amended by the Criminal Procedure Code Amendment Act XVIII of 1923, the under-mentioned second class Magistrates in the district of South Kanara are empowered to authorise the detention of persons forwarded to them

MRRy. Bolar Somappa.

MRRy. V. & Sandur[illegible]

Under what precedents

Dept. by [illegible]

As regards the principle governing the grant of this power please see page 2 of Go 924 dy. 11-4-24., for precedents please see Laws (81). for. 29 dy. 6-1-28 and 222 dy. 23-1-28